

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

-VS-

DECISION and ORDER

11-CR-6201

JOHN BARTON

Defendant

Siragusa, J. This case was referred by text order of the undersigned, docketed on December 13, 2011, ECF No. 2, to Magistrate Judge Marian W. Payson, pursuant to 28 U.S.C. § 636(b)(1)(A)-(B). Previously, on December 8, 2011, Magistrate Judge Payson filed a Report and Recommendation ("R&R") ECF No. 51, recommending that the Court determine Defendant competent to stand trial. The time has passed for Defendant to file any objections to the R&R, and none have been filed.

Accordingly, for the reasons set forth in Magistrate Judge Payson's R&R, the Court finds Defendant competent to stand trial.

IT IS SO ORDERED.

Dated: Rochester, New York
January 15, 2012

ENTER:

/s/ Charles J. Siragusa
CHARLES J. SIRAGUSA
United States District Judge